

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See form PCT/ISA/210**

Applicant's or agent's file reference

4335-16-WO

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/EP2004/014581

International filing date (day/month/year)

22.12.2004

Priority date (day/month/year)

12.02.2004

International Patent Classification (IPC) or both national classification and IPC

F16H55/36, F16H7/20, F16C13/00

Applicant

INA-SCHAEFFLER KG

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-7</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-7</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-7</u>	YES
	Claims		NO

2. Citations and explanations:

Prior art which is mentioned in the search report:

D1: DE 100 36 765 A1 (INA WAE LZLAGER SCHAEFFLER OHG) 7
February 2002

D2: DE 100 35 488 A1 (INA WAE LZLAGER SCHAEFFLER OHG) 31
January 2002

D3: DE 100 43 840 A1 (INA WAE LZLAGER SCHAEFFLER OHG) 14
March 2002

1. Independent claim 1

1.1. Novelty

Document **D1** is considered to be the closest prior art
and, in agreement with the features of claim 1, discloses
a

*deflection roller (1) for a flexible drive, comprising an
annular body (3), against the circumferential surface (4)
of which a drawing means (5), in particular a belt,
bears, a roller bearing (6) which comprises an inner ring
(9) and an outer ring (7), the outer ring (7) being
enclosed by a receptacle hole of the annular body (3),*

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the deflection roller (1) being fixed on a screwing surface with the aid of a fastening screw (10a, b) which is guided through a receptacle hole of the inner ring (9) and a receptacle hole of a spacer sleeve (17a, b), the spacing between the screwing surface and the deflection roller (1) being defined by the axial extent of the spacer sleeve (17a, b) which is held on the deflection roller (1) with the aid of a transport securing means.

The subject matter of the present claim 1 differs therefrom in that

the spacer sleeve (10) is accommodated by the receptacle hole (5.1) of the inner ring (5) with a guide collar (10.5), the guide collar (10.5) has a recess (10.4), into which an elastic holding element (11) is inserted which bears with prestress against the receptacle hole (5.1) of the inner ring (5).

The present application therefore satisfies the criterion mentioned in PCT Article 33(2) because the subject matter of the single independent claim 1 is novel in relation to the prior art as defined in the Regulations (PCT Rule 64.1 - 64.3).

1.2. Inventive step

Proceeding from the abovementioned prior art, the problem addressed by the present invention can therefore be considered that of providing a deflection roller which has an improved transport securing means.

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However, the solution according to claim 1 does not appear to be known *per se* from any of the documents in the proceedings, nor to be obvious overall from the prior art.

The present application therefore appears to satisfy the criterion mentioned in PCT Article 33(3) because the subject matter of claim 1 appears to involve an inventive step (PCT Rule 65.1, 65.2).

1.3. Industrial applicability

The subject matter of claim 1 also appears to meet the requirements of PCT Article 33(4), as it appears possible to manufacture it and it appears to be used, at least in the field of automotive engineering.

1.4. Claims which are dependent on claim 1

Dependent claims 2-7 which have the subject matter of further embodiments of the invention according to claim 1 likewise appear to meet the requirements of PCT Article 33(2) to (4).